

IN THE UNITED STATES DISTRICT COURT
THE WESTERN DISTRICT OF PENNSYLVANIA

United States of America,)
)
 Plaintiff,)
)
 v.)
)
 Isaiah Luther Mercer,)
)
 Defendant.)

Case No. CR-03-19-Erie

FILED

NOV 23 2007

CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

MOTION TO REDUCE TERM OF IMPRISONMENT

COME NOW, the Defendant Isaiah Luther Mercer, Pro Se, and moves this court to reduce the above named Defendant's sentence of imprisonment pursuant to Title 18 U.S.C. §3582(c)(2), on the grounds therefore states the following;

1. On November 17, 2006 the Defendant Isaiah Luther Mercer was sentenced to the custody of the Bureau of Prisons for a term of 120 months, plus five (5) years of Supervised Release, pursuant to his plea of guilty of the charge of possession with intent to Distribute Cocaine Base (crack), in violation of 21 U.S.C. §841(a), and U.S.C. 21 §841(b)(1)(a)(III). He is currently incarcerated at FPC McKean, Bradford, PA.

2. Effective November 1, 2007 the United States Sentencing commission amended the United States Sentencing Guidelines 2D1.1(c), which establishes the offense levels for Cocaine Base (crack), and voted to make that amendment retroactive.

3. Applying the amended guideline may result in a shorter prison term for Isaiah Luther Mercer, the Defendant.

WHEREFORE, it is respectfully requested that this Court reduce the Defendant's term of imprisonment, pursuant to Title 18 U.S.C. §3582(c)(2) and in conformity with the amended United States Sentencing Guidelines 2D1.1(c).

November 20, 2007

Respectfully Submitted,

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